

IN RE: PETITION FOR RESIDENTIAL	* BEFORE THE
ZONING VARIANCE	
W/S River Drive Road, 20 ft. NE	* ZONING COMMISSIONER
& opposite c/l Alice Road	
6918 River Drive Road	* OF BALTIMORE COUNTY
15th Election District	
5th Councilmanic District	* Case No. 95-57-A
William H. Burns, et ux	
Petitioners	*
* * * * *	* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as an administrative variance filed by William H. Burns and Evelyn L. Burns, his wife for that property located at 6918 River Drive Road in the Lynch Point subdivision of of Baltimore County. The Petitioner/property owners herein seek a variance from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to allow a side yard setback of 3-1/2 ft., in lieu of the minimum required 10 ft., for an attached garage, as more particularly described on Petitioners' Exhibit No. 1, the plat to accompany the Petition.

The Petitioners having filed a Petition for Residential Variance and the subject property having been posted, and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioners have filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variance would adversely affect the health, safety or general welfare of the public and should therefore be granted. In the opinion of the Zoning Commissioner, the information, photographs, and affidavits submitted provide sufficient facts that comply with the requirements of

ORDER RECEIVED FOR FILING
Date 9/9/94
By Ch. G. Gorkh

MICROFILMED

Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

This property is located within the Chesapeake Bay Critical Areas and as such, is subject to the requirements of Section 500.14 of the B.C.Z.R. In accordance with Section 500.14 of the B.C.Z.R., the Director of the Department of Environmental Protection and Resource Management has submitted recommendations which describe what steps the Petitioner must take to insure that the relief requested complies with the following Chesapeake Bay Critical Areas requirements to:

- 1) Minimize adverse impacts on water quality that result from pollutants that are discharged from structures or conveyances or that have run off from surrounding lands;
- 2) Conserve fish, wildlife, and plant habitat; and
- 3) Be consistent with established land use policies for development in the Chesapeake Bay Critical Area which accommodate growth and also address the fact that, even if pollution is controlled, the number, movement, and activities of persons in that area can create adverse environmental impacts.

These recommendations shall be attached hereto and become a permanent part of the decision rendered in this case. There is no evidence in the record that the relief requested would adversely affect the health, safety, and/or general welfare of the public provided there is compliance with the requirements of the Department of Environmental Protection and Resource Management.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the Baltimore County Zoning Regulations, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 9th day of September, 1994 that the Petition for a Zoning Variance from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to allow a side yard setback of 3-1/2 ft., in lieu of the minimum required 10 ft., for an attached garage, in accordance with Petitioners' Exhibit No. 1, be and is hereby GRANTED, subject, however, to the following restrictions which are conditions precedent to the relief granted herein:

1. The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.

2. The Petitioners shall comply with all requirements of the Zoning Plans Advisory Committee (ZAC) as set forth in the comments submitted by the Developers Engineering Section dated August 29, 1994, attached hereto and made a part hereof.

3. The Petitioners shall comply with all requirements of the Department of Environmental Protection and Resource Management as set forth in their comments dated August 24, 1994, attached hereto and made a part thereof.

4. The Petitioners shall not allow or cause the accessory structure to be converted to a second dwelling unit and/or apartment. The garage shall contain no living or sleeping quarters, and no kitchen or bathroom facilities.

5. Upon request and reasonable notice, the Petitioners shall permit a representative of the Zoning Enforcement Division to make an inspection of the subject property to ensure compliance with this Order.

6. When applying for a building permit, the site plan and landscaping plan filed must reference this case and set forth and address the restrictions of this Order.

ORDER RECEIVED FOR FILING

Date

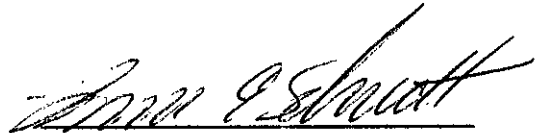
By

9/9/94

M. G. Gough

RECEIVED

7. The Petitioners shall raze and remove the existing garage no later than 60 days after completion of the proposed attached garage.



LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:mmn

ORDER RECEIVED FOR FILING
Date 9/9/90
By M. G. Gosh

RECEIVED
BALTIMORE COUNTY
ZONING DEPARTMENT

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning



Suite 113 Courthouse
400 Washington Avenue
Towson, MD 21204

(410) 887-4386

September 8, 1994

Mr. and Mrs. William H. Burns
6918 River Drive Road
Baltimore, Maryland 21219

RE: Petition for Administrative Variance
Case No. 95-57-A
Property: 6918 River Drive Road

Dear Mr. and Mrs. Burns:

Enclosed please find the decision rendered in the above captioned case. The Petition for Administrative Variance has been granted, in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3391.

Very truly yours,

A handwritten signature in cursive script, reading "Lawrence E. Schmidt".

Lawrence E. Schmidt
Zoning Commissioner

LES:mmn
encl.

MICROFILMED





Petition for Administrative Variance

95-57-A

to the Zoning Commissioner of Baltimore County

for the property located at 6918 River Drive Road
which is presently zoned Residential

This Petition shall be filed with the Office of Zoning Administration & Development Management.

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s)

1B02.3.c.1

To allow a side yard setback of 3½ ft. (for an attached garage) in lieu of the minimum required 10ft.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (Indicate hardship or practical difficulty)

We are approaching retirement and would like the security of having the garage attached to the house. The design of the house is such that if the garage was started at the already existing side wall, that the size of garage we want to build would not allow us to have an entrance into the house from outside the garage. Therefore by moving the garage to the left by 6 feet we will be able to have an entrance door into the house from outside.

Property is to be posted and advertised as prescribed by Zoning Regulations. the garage and keep the house
I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to
be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County. and garage in proportion.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser/Lessee:

(Type or Print Name)

Signature

Address

City

State

Zipcode

Attorney for Petitioner:

(Type or Print Name)

Signature

Address

Phone No.

City

State

Zipcode

Legal Owner(s):

William H. Burns
(Type or Print Name)

William H Burns
Signature

Evelyn L. Burns
(Type or Print Name)

Evelyn L. Burns
Signature

6918 River Drive Road 410-477-2907
Address Phone No.

Baltimore MD 21219
City State Zipcode

Name, Address and phone number of representative to be contacted.

William H. Burns
Name

6918 River Drive Road 410-687-8636
Address Phone No. (work)

A Public Hearing having been requested and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County, this ____ day of _____, 19____, that the subject matter of this petition be set for a public hearing, advertised, as required by the Zoning Regulations of Baltimore County, in two newspapers of general circulation throughout Baltimore County, and that the property be reposted.

Zoning Commissioner of Baltimore County

REVIEWED BY: [Signature]

DATE: 8-12-94

ESTIMATED POSTING DATE: 8-21-94

Printed with Soybean Ink
on Recycled Paper

ITEM #: 57

Affidavit in support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows:

That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does/do presently reside at 6918 River Drive Road
address
Baltimore MD 21219
City State Zip Code

That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address: (indicate hardship or practical difficulty)

We are approaching retirement and would like the security of having the garage attached to the house. The design of the house is such that if the garage was started at the already existing side wall, that the size of garage we want to build would not allow us to have an entrance into the house from outside the garage. Therefore by moving the garage to the left of the house by 6 feet we will be able to have an entrance door from outside the garage and keep the house and garage in proportion.

That Affiant(s) acknowledge(s) that if a protest is filed, Affiant(s) will be required to pay a reposting and advertising fee and may be required to provide additional information.

William H Burns
(signature)
William H. Burns
(type or print name)



Evelyn L. Burns
(signature)
Evelyn L. Burns
(type or print name)

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 11 day of August, 19 94, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

William H. Burns & Evelyn L. Burns

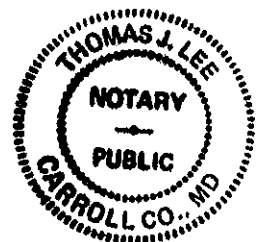
the Affiants(s) herein, personally known or satisfactorily identified to me as such Affiant(s), and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her/their knowledge and belief.

AS WITNESS my hand and Notarial Seal.

8/11/94
date

Thomas J. Lee
NOTARY PUBLIC

My Commission Expires: 08/01/97



Affidavit in support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows:

That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does/do presently reside at 6918 River Drive Road
address
Baltimore MD 21219
City State Zip Code

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We are approaching retirement and would like the security of having the garage attached to the house. The design of the house is such that if the garage was started at the already existing side wall, that the size of garage we want to build would not allow us to have an entrance into the house from outside the garage. Therefore by moving the garage to the left of the house by 6 feet we will be able to have an entrance door from outside the garage and keep the house and garage in property.

That Affiant(s) acknowledge(s) that if a protest is filed, Affiant(s) will be required to pay a reposting and advertising fee and may be required to provide additional information.

William H Burns
(signature)
William H. Burns
(type or print name)



Evelyn L. Burns
(signature)
Evelyn L. Burns
(type or print name)

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 11 day of August, 1994, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

William H. Burns & Evelyn L. Burns

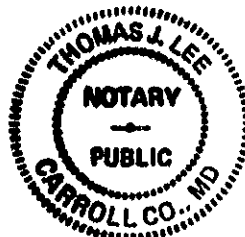
the Affiants(s) herein, personally known or satisfactorily identified to me as such Affiant(s), and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her/their knowledge and belief.

AS WITNESS my hand and Notarial Seal.

8/11/94
date

Thomas J. Lee
NOTARY PUBLIC

My Commission Expires: 08/01/97





Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at 6918 River Drive Road
which is presently zoned Residential

This Petition shall be filed with the Office of Zoning Administration & Development Management.

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s)

1802.3.c.1

To allow a side yard setback of $3\frac{1}{2}$ ft. (for an attached garage) in lieu of the minimum required 10ft.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (Indicate hardship or practical difficulty)

We are approaching retirement and would like the security of having the garage attached to the house. The design of the house is such that if the garage was started at the already existing side wall, that the size of garage we want to build would not allow us to have an entrance into the house from outside the garage. Therefore by moving the garage to the left by 6ft we will be

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

able to have an entrance door into the house from outside the garage and keep the house and garage in proportion.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser/Lessee:

(Type or Print Name)

Signature

Address

City

State

Zipcode

Attorney for Petitioner:

(Type or Print Name)

Signature

Address

Phone No.

City

State

Zipcode

Legal Owner(s).

William H. Burns
(Type or Print Name)

William H Burns
Signature

Evelyn L. Burns
(Type or Print Name)

Evelyn L. Burns
Signature

6918 River Drive Road
Address Phone No. 410-477-2907

Baltimore MD 21219
City State Zipcode

Name, Address and phone number of representative to be contacted.

William H. Burns (work)
Name
6918 River Drive Road 410-687-8636
Address Phone No.

A Public Hearing having been requested and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County, this ____ day of _____, 19____, that the subject matter of this petition be set for a public hearing, advertised, as required by the Zoning Regulations of Baltimore County, in two newspapers of general circulation throughout Baltimore County, and that the property be reposted.

Zoning Commissioner of Baltimore County

REVIEWED BY: JA

DATE: 8-12-94

ESTIMATED POSTING DATE: 8-21-94

Printed with Soybean Ink
on Recycled Paper

ITEM #: 57

#57

(address)
Councilmanic District 5

8050 sq. ft.
(square feet and acres)

[Handwritten signature]

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

93-57-17

District 15th Date of Posting 8/20/94

Posted for: Variance

Petitioner: Wm. & Evelyn Burns

Location of property: 6918 River Drive Rd, w/s

Location of Signs: Facing road lobby on property being zoned

Remarks: _____

Posted by [Signature] Date of return: 8/26/94
Signature

Number of Signs: 1



MICROFILM



Baltimore County
Zoning Administration &
Development Management
111 West Chesapeake Avenue
Towson, Maryland 21204

CRITICAL
AREA

receipt

95-57-A

Account: R-001-6150

Date 8-12-94

Item Number 57

Taken in by: JH

owner: Burns

site: 6918 River Drive Rd.

010 ——— Residential Variance (ADMIN.) filing fee — \$ 50. ⁰⁰
080 ——— Sign & posting ——— 35. ⁰⁰

Total - \$ 85. ⁰⁰

01A01N0298MICHRC

\$85.00

NO COLD: 12AM08-12-94

Please Make Checks Payable To: Baltimore County

Cashier Validation

Baltimore County Government
Office of Zoning Administration
and Development Management



111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

SEP. 07 1994

William and Evelyn Burns
6918 River Drive Road
Baltimore, Maryland 21219

RE: Item No. 57, Case No. 95-57-A
Petitioner: William and Evelyn Burns

Dear Mr. & Mrs. Burns::

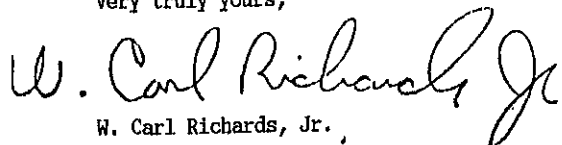
The Zoning Plans Advisory Committee (ZAC) has reviewed the plans submitted with the above referenced petition. The attached comments from each reviewing agency are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties, i.e. Zoning Commissioner, attorney and/or the petitioner, are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case.

Enclosed are all comments submitted thus far from the members of ZAC that offer or request information on your petition. If additional comments are received from other members of ZAC, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on August 12, 1994.

The following comments are related only to the filing of future zoning petitions and are aimed at expediting the petition filing process with this office.

- 1) The Director of Zoning Administration and Development Management has instituted a system whereby seasoned zoning attorneys who feel that they are capable of filing petitions that comply with all aspects of the zoning regulations and petitions filing requirements can file their petitions with this office without the necessity of a preliminary review by Zoning personnel.
- 2) Anyone using this system should be fully aware that they are responsible for the accuracy and completeness of any such petition. All petitions filed in this manner will be reviewed and commented on by Zoning personnel prior to the hearing. In the event that the petition has not been filed correctly, there is always a possibility that another hearing will be required or the Zoning Commissioner will deny the petition due to errors or incompleteness.
- 3) Attorneys, engineers and applicants who make appointments to file petitions on a regular basis and fail to keep the appointment without a 72 hour notice will be required to submit the appropriate filing fee at the time future appointments are made. Failure to keep these appointments without proper advance notice, i.e. 72 hours, will result in the forfeiture loss of the filing fee.

Very truly yours,


W. Carl Richards, Jr.,
Zoning Coordinator

WCR:ggs

MICROFILMED



95-57

BALTIMORE COUNTY, MARYLAND
I N T E R O F F I C E C O R R E S P O N D E N C E

TO: Arnold Jablon, Director DATE: August 29, 1994
Zoning Administration and Development Management

FROM: *RWB* Robert W. Bowling, P.E., Chief
Developers Engineering Section

RE: Zoning Advisory Committee Meeting
for August 29, 1994
Item No. 57

The Developers Engineering Section has reviewed the subject zoning item. This proposed improvement is located in a 100-year Tidal Flood Plain area. Per the Baltimore County Department of Public Works, the lowest floor of any building must be elevated 1 foot above the 100 year frequency tidal elevation as defined by the Federal Emergency Management Agency, Flood Insurance Administration's Flood Insurance Study.

RWB:sw

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Maryland Department of Transportation
State Highway Administration

O. James Lighthizer
Secretary
Hal Kassoff
Administrator

8-19-94

Ms. Julie Winiarski
Zoning Administration and
Development Management
County Office Building
Room 109
111 W. Chesapeake Avenue
Towson, Maryland 21204

Re: Baltimore County
Item No.: *57 (JJS)

95-57

Dear Ms. Winiarski:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not effected by any State Highway Administration project.

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

Bob Small

for David Ramsey, Acting Chief
Engineering Access Permits
Division

BS/

My telephone number is _____

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Gwen Stephens, ZADM
FROM: Jeffrey Long
Office of Planning & Zoning

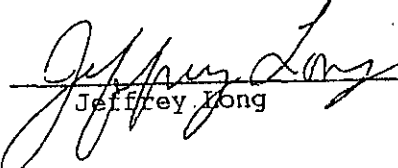
DATE: August 26, 1994

SUBJECT: Zoning Advisory Comments

Please be advised that additional time is required to review the following Petitions:

ITEM NOS. 41, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, (57) 58, 59, 60,
and 61.

Please contact me if you have any questions or require additional information.


Jeffrey Long

JL:bjs

RECEIVED

AUG 29 1994

ZADM

STEPHENS.JL/PZONE/ZAC1

MICROFILMED

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Zoning Administration and
Development Management

DATE: August 29, 1994

95-57

FROM: Pat Keller, Director
Office of Planning and Zoning

SUBJECT: Petitions from Zoning Advisory Committee

The Office of Planning and Zoning has no comments on the following petition(s):

Item Nos.: 48, 49, 53, 54, (57) 58, 61, 62, 63, 64, 67, and 70.

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3480.

Prepared by:

Jeffrey W. Long

Division Chief:

Gary L. Kerns

PK:JL:bjs

ZACITEMS.NC/PZONE/ZAC1

RECEIVED - PLANNING

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT

INTER-OFFICE CORRESPONDENCE

95-57

August 24, 1994

TO: Mr. Arnold Jablon, Director
Zoning Administration and
Development Management

FROM: J. Lawrence Pilson *JLP*
Development Coordinator, DEPRM

SUBJECT: Zoning Item #57 - Burns Property
6918 River Drive Road
Zoning Advisory Committee Meeting of August 22, 1994

The Department of Environmental Protection and Resource Management offers the following comments on the above-referenced zoning item.

The proposed garage will require a variance to the Chesapeake Bay Critical Area regulations given that it is proposed to be located in the 100-foot buffer to tidal waters. The applicant should contact Environmental Impact Review at 887-3980 for additional information.

✓
JLP:PF:sp

c: William H. and Evelyn L. Burns

BURNS/DEPRM/TXTSBP

STAMPED
10/10/94

Baltimore County Government
Office of Zoning Administration
and Development Management



111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

AUGUST 22, 1994

NOTICE OF CASE NUMBER ASSIGNMENT

TO: William and Evelyn Burns
6918 River Drive Road
Baltimore, Maryland 21219

Re: CASE NUMBER: 95-57-A (Item 57)
6918 River Drive Road
W/S River Drive Road, 20' NE & opposite centerline Alice Road
15th Election District - 5th Councilmanic

Please be advised that your Petition for Administrative Zoning Variance has been assigned the above case number. Contact made with this office regarding the status of this case should reference the case number and be directed to 887-3391. This notice also serves as a refresher regarding the administrative process.

- 1) Your property will be posted on or before August 21, 1994. The closing date (September 6, 1994) is the deadline for a neighbor to file a formal request for a public hearing. After the closing date, the file will be reviewed by the Zoning or Deputy Zoning Commissioner. They may (a) grant the requested relief, (b) deny the requested relief, or (c) demand that the matter be set in for a public hearing. You will receive written notification as to whether or not your petition has been granted, denied, or will go to public hearing.
- 2) In cases requiring public hearing (whether due to a neighbor's formal request or by Order of the Commissioner), the property will be reposted and notice of the hearing will appear in a Baltimore County newspaper. Charges related to the reposting and newspaper advertising are payable by the petitioner(s).
- 3) Please be advised that you must return the sign and post to this office. They may be returned after the closing date. Failure to return the sign and post will result in a \$60.00 charge.

PLEASE UNDERSTAND THAT ON THE DATE AFTER THE POSTING PERIOD, THE PROCESS IS NOT COMPLETE. THE FILE MUST GO THROUGH FINAL REVIEW. ORDERS ARE NOT AVAILABLE FOR DISTRIBUTION VIA PICK-UP. WHEN READY, THE ORDER WILL BE FORWARDED TO YOU VIA FIRST CLASS MAIL.

A handwritten signature in cursive script, appearing to read "Arnold Jablon".

Arnold Jablon
Director



file

LORD BALTIMORE SERVICES

3710 E. Baltimore Street • Baltimore, Maryland 21224-1599 • (410) 732-2700 • (800) 292-1224

August 21, 1995

Baltimore County Public Works
111 West Chesapeake Avenue
Towson, Md. 21204

Dear Sirs,

In light of recent developements we will be finishing the small storage shed behind 6801 York Road. Please disregard our letter of 4-7-95.

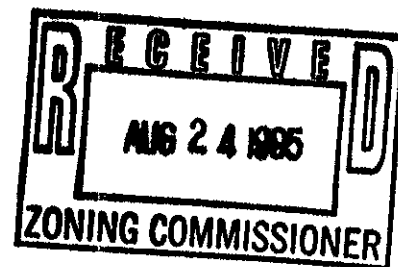
The Case # was 95-57-A. If your could recommend a contractor who is familiar with your permitting and zoning rules we will be in search of such a contractor.

Signed,

Ken Gore

Ken Gore
Vice President

CC: John Riesenger
Tim Fitts
Avery Harden
Jim Thompson
Tim Kotroco



Michael...

PROPERTY ADDRESS: 6918 RIVER DRIVE ROAD

see pages 5 & 6 of the CHECKLIST for additional required information

Subdivision name: LYNCH POINT

plat book # 8, folio # 38, lot # 10, section #

OWNER: WILLIAM & EVELYN BURNS

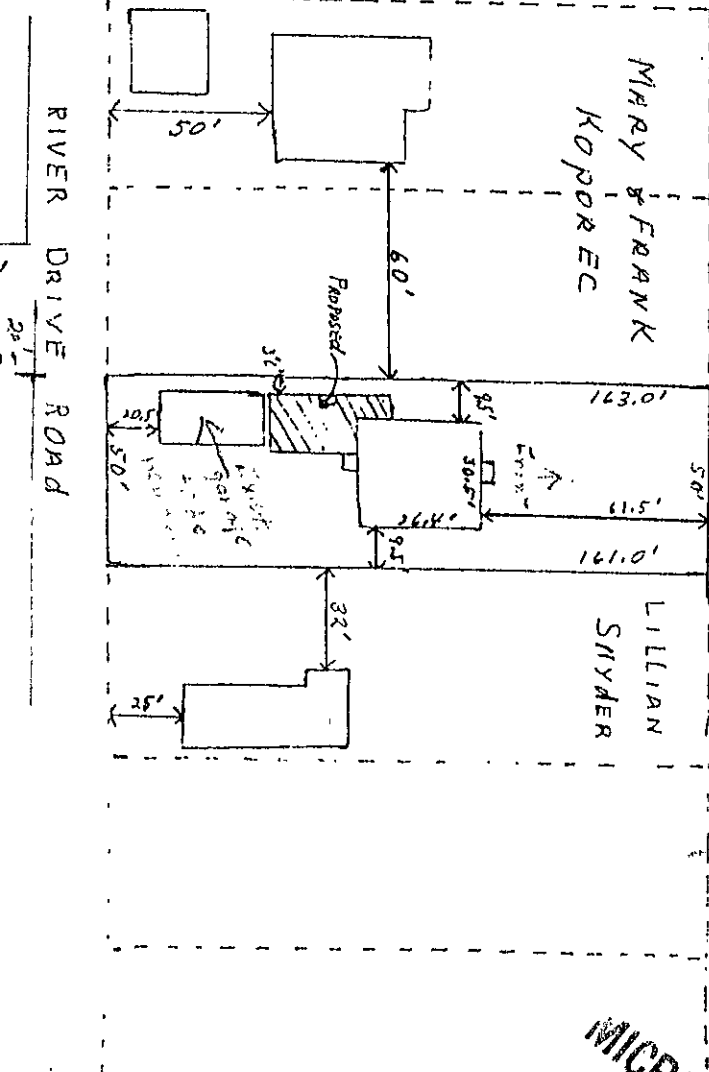
GREENHILL COVE

Water

MARY & FRANK
KOPORC

SYDNEY

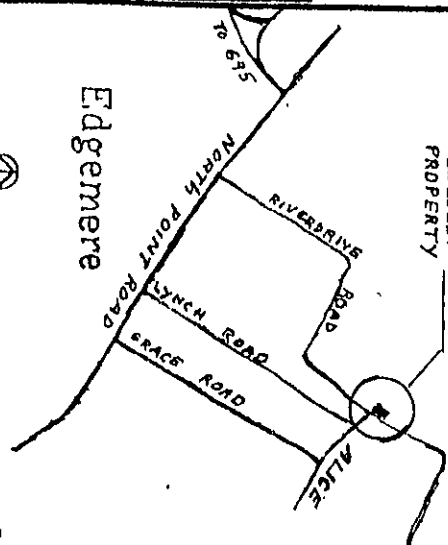
MICROFILMED



North

date: 8/11/94
prepared by: _____

Scale of Drawing: $1'' = 50'$

SUBJECT
PROPERTY

Vicinity Map
scale: 1"=1000'

LOCATION INFORMATION

Election District: 15

Councilman's District: 5

1"=200' scale map#: SE 5-1

Zoning: D: R. 5-5

Lot size: 1/9 acreage 8050 square feet

	Public	Private
1980	67.0	33.0
1981	67.0	33.0
1982	67.0	33.0
1983	67.0	33.0
1984	67.0	33.0
1985	67.0	33.0
1986	67.0	33.0
1987	67.0	33.0
1988	67.0	33.0
1989	67.0	33.0
1990	67.0	33.0
1991	67.0	33.0
1992	67.0	33.0
1993	67.0	33.0
1994	67.0	33.0
1995	67.0	33.0
1996	67.0	33.0
1997	67.0	33.0
1998	67.0	33.0
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2096	67.0	33.0
2097	67.0	33.0
2098	67.0	33.0
2099	67.0	33.0
2100	67.0	33.0

SEWER: ☒ ☐

WATER: ☒ ☐

<input checked="" type="checkbox"/>	Yes
<input type="checkbox"/>	No

Chesapeake Bay Critical Area:

Prior Zoning Hearings:

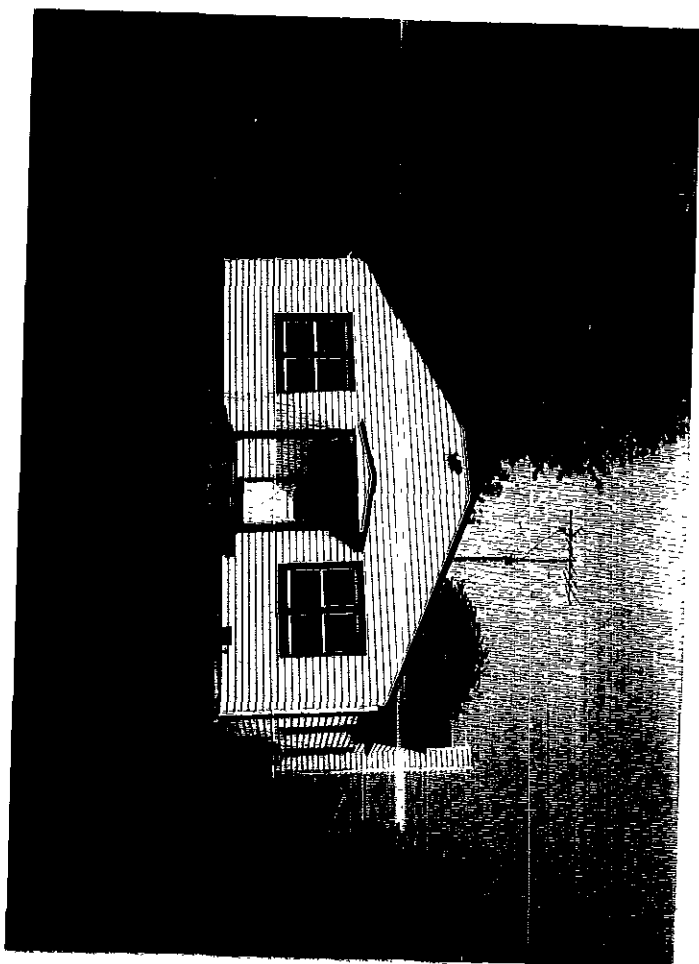
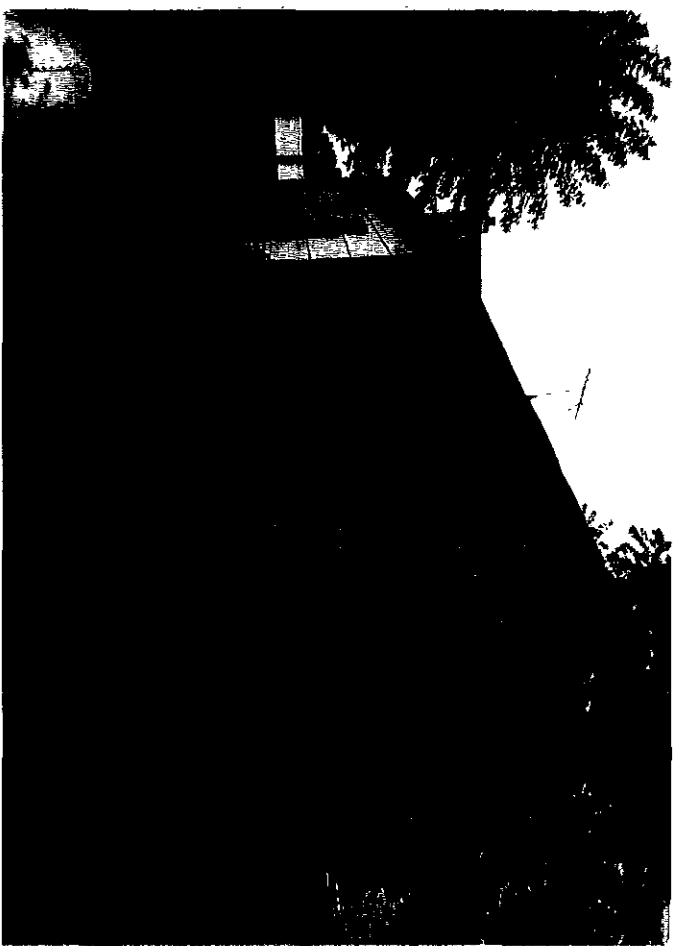
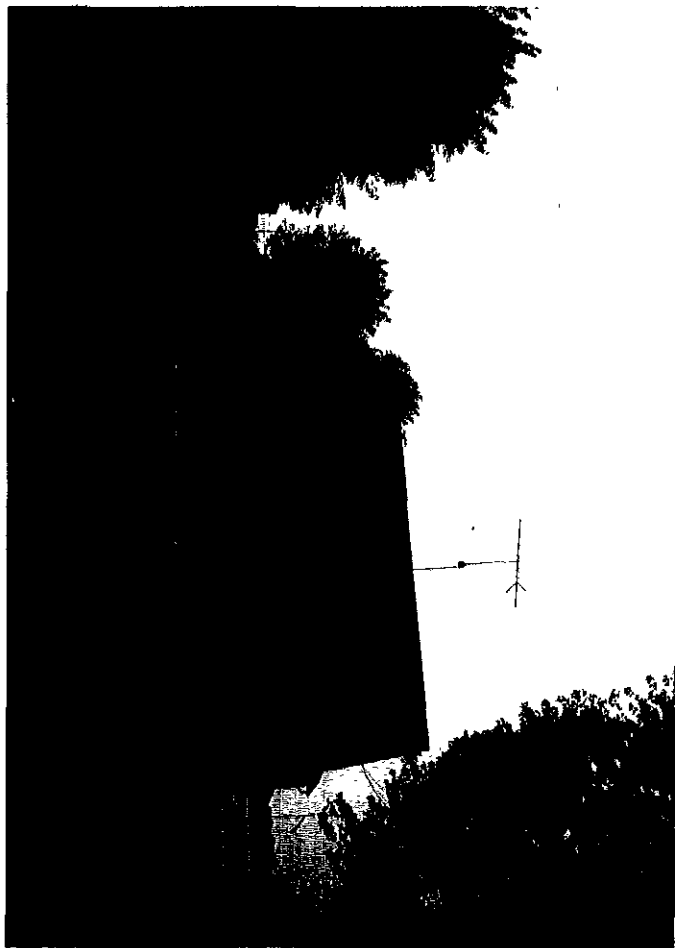
None

Zoning Office USE ONLY!

reviewed by:	ITEM #:	CASE#:
--------------	---------	--------

10

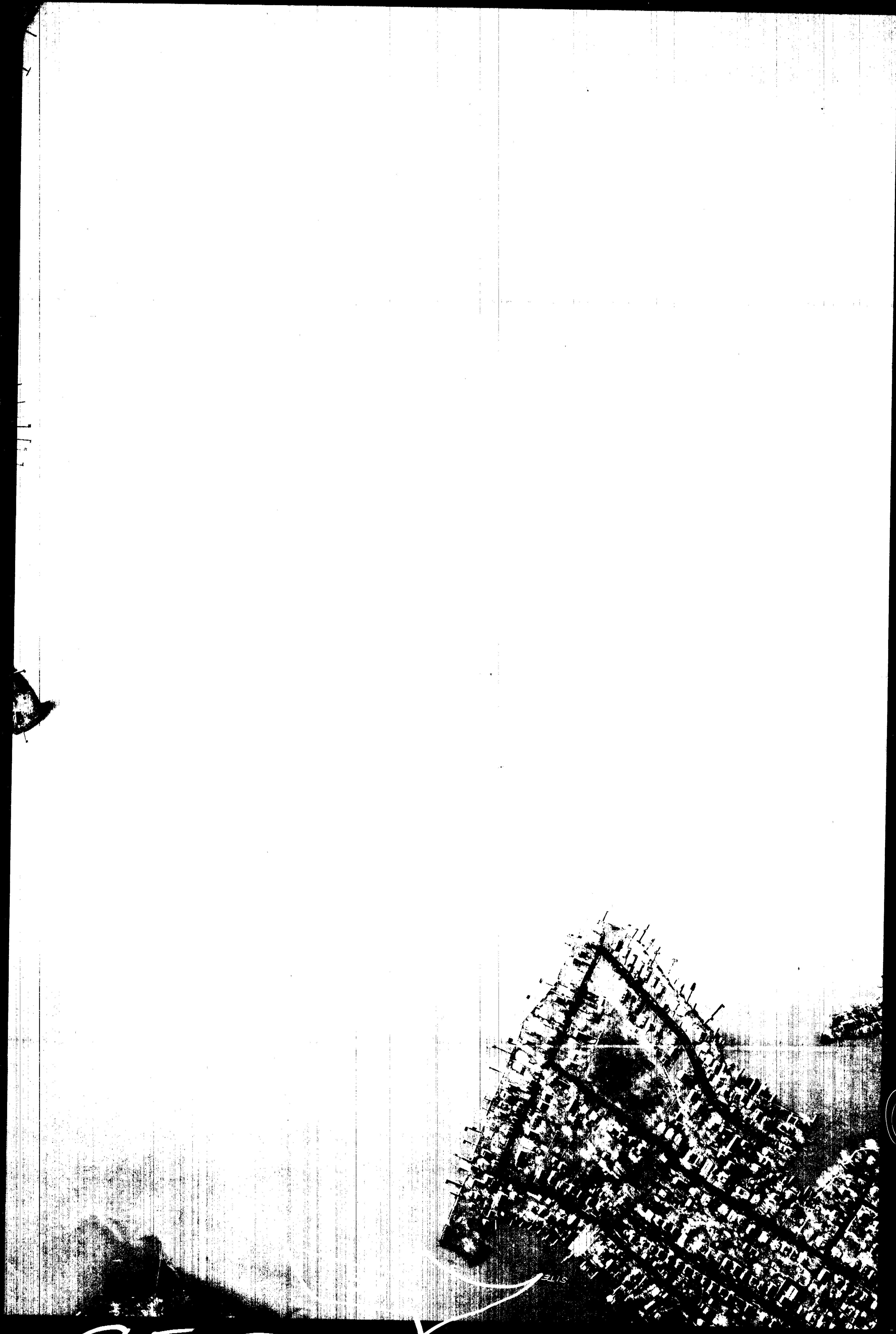
57



95-57-A

Item #57

20050711RAFD



95-57-A ✓

BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
PHOTOGRAPHIC MAP

SCALE
1" = 200' ±

DATE
OF
PHOTOGRAPHY
JANUARY
1986

LOCATION
EDGE MERE

SHEET
S.E.
5-1

MICROFILMED

#57

PREPARED BY AIR PHOTOGRAPHICS, INC.
MARTINSBURG, W. V. 25401

The map depicts a coastal region with a grid of streets and numerous buildings. The coastline is on the left, with several piers and walls marked. Key streets include Alice Lynch Point, River Drive, and various avenues. A large area is labeled 'D.R. 5.5'. A small inset map in the top right corner shows a larger area with a label 'D.R. 5.5' and a coordinate 'E 49,500'. The map includes numerous labels for 'PIERS', 'WALL', and 'ROAD'. A scale bar at the bottom right indicates distances in feet (0 to 20,000).

(SHEET 5.E.6-1)

51

657

95-57-A

4. 2. 2.

WEST
WEST

~~1988 COMPREHENSIVE ZONING MAP
Adopted by the Board of County Council~~

~~Bill Nos. 144-88, 145-88, 146-88, 147-88, 148-88, 149-88, 150-88~~

BALTIMORE C

IN RE: PETITION FOR RESIDENTIAL
ZONING VARIANCE
W/S River Drive Road, 20 ft. NE
& opposite c/l Alice Road
6918 River Drive Road
15th Election District
5th Councilmanic District
William H. Burns, et ux
Petitioners

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 95-57-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as an administrative variance filed by William H. Burns and Evelyn L. Burns, his wife for that property located at 6918 River Drive Road in the Lynch Point subdivision of Baltimore County. The Petitioner/property owners herein seek a variance from Section 1802.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to allow a side yard setback of 3-1/2 ft., in lieu of the minimum required 10 ft., for an attached garage, as more particularly described on Petitioners' Exhibit No. 1, the plat to accompany the Petition.

The Petitioners having filed a Petition for Residential Variance and the subject property having been posted, and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioners have filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variance would adversely affect the health, safety or general welfare of the public and should therefore be granted. In the opinion of the Zoning Commissioner, the information, photographs, and affidavits submitted provide sufficient facts that comply with the requirements of

Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

This property is located within the Chesapeake Bay Critical Areas and as such, is subject to the requirements of Section 500.14 of the B.C.Z.R. In accordance with Section 500.14 of the B.C.Z.R., the Director of the Department of Environmental Protection and Resource Management has submitted recommendations which describe what steps the Petitioner must take to insure that the relief requested complies with the following Chesapeake Bay Critical Areas requirements to:

- 1) Minimize adverse impacts on water quality that result from pollutants that are discharged from structures or conveyances or that have run off from surrounding lands;
- 2) Conserve fish, wildlife, and plant habitat; and
- 3) Be consistent with established land use policies for development in the Chesapeake Bay Critical Area which accommodate growth and also address the fact that, even if pollution is controlled, the number, movement, and activities of persons in that area can create adverse environmental impacts.

These recommendations shall be attached hereto and become a permanent part of the decision rendered in this case. There is no evidence in the record that the relief requested would adversely affect the health, safety, and/or general welfare of the public provided there is compliance with the requirements of the Department of Environmental Protection and Resource Management.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the Baltimore County Zoning Regulations, and for the reasons given above, the requested variance should be granted.

-2-

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 9th day of September, 1994 that the Petition for a Zoning Variance from Section 1802.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to allow a side yard setback of 3-1/2 ft., in lieu of the minimum required 10 ft., for an attached garage, in accordance with Petitioners' Exhibit No. 1, be and is hereby GRANTED, subject, however, to the following restrictions which are conditions precedent to the relief granted herein:

1. The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.
2. The Petitioners shall comply with all requirements of the Zoning Plans Advisory Committee (ZAC) as set forth in the comments submitted by the Developers Engineering Section dated August 29, 1994, attached hereto and made a part hereof.
3. The Petitioners shall comply with all requirements of the Department of Environmental Protection and Resource Management as set forth in their comments dated August 24, 1994, attached hereto and made a part thereof.
4. The Petitioners shall not allow or cause the accessory structure to be converted to a second dwelling unit and/or apartment. The garage shall contain no living or sleeping quarters, and no kitchen or bathroom facilities.
5. Upon request and reasonable notice, the Petitioners shall permit a representative of the Zoning Enforcement Division to make an inspection of the subject property to ensure compliance with this Order.
6. When applying for a building permit, the site plan and landscaping plan filed must reference this case and set forth and address the restrictions of this Order.

-3-

7. The Petitioners shall raise and remove the existing garage no later than 60 days after completion of the proposed attached garage.

Lawrence E. Schmidt
LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:mmm

ORDER RECEIVED FOR FILING
Date 9/9/94
By Sh. J. Lee

ORDER RECEIVED FOR FILING
Date 9/9/94
By Sh. J. Lee

ORDER RECEIVED FOR FILING
Date 9/9/94
By Sh. J. Lee

-4-

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning

Suite 113 Courthouse
400 Washington Avenue
Towson, MD 21204

(410) 887-4386

September 8, 1994

Mr. and Mrs. William H. Burns
6918 River Drive Road
Baltimore, Maryland 21219

RE: Petition for Administrative Variance
Case No. 95-57-A
Property: 6918 River Drive Road

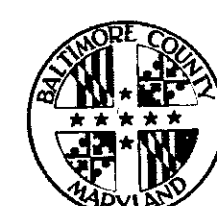
Dear Mr. and Mrs. Burns:

Enclosed please find the decision rendered in the above captioned case. The Petition for Administrative Variance has been granted, in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3391.

Very truly yours,
Lawrence E. Schmidt
Lawrence E. Schmidt
Zoning Commissioner

LES:mmm
encl.



Petition for Administrative Variance to the Zoning Commissioner of Baltimore County

for the property located at 6918 River Drive Road
which is presently zoned Residential

This Petition shall be filed with the Office of Zoning Administration & Development Management.

The undersigned, legal owner(s) of the property situated in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s)

1802.3.c.1

To allow a side yard setback of 3 1/2 ft. (for an attached garage) in lieu of the minimum required 10ft.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons: (Indicate hardship or practical difficulty) *We are approaching retirement and would like the security of having the garage attached to the house. The design of the house is such that if the garage was started at the already existing side wall, that the size of the garage we want to build would not allow us to have an entrance into the house from outside the garage. There fore by moving the garage to the left by 6 feet we will be able to have an entrance door into the house from outside the house. Property is to be posted and advertised as prescribed by Zoning Regulations. I, or we, agree to pay expenses of above Variance advertising, posting, etc. upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County and garage is proportionate.*

Contract Purchaser/Lessor:

(Type or Print Name)

Signature

Address

City

State

Zipcode

Attorney for Petitioner:

(Type or Print Name)

Signature

Address

Phone No.

City

State

Zipcode

Legal Owner(s):
Name: William H. Burns
(Type or Print Name)

Signature: William H. Burns

Address: Evelyn L. Burns

Signature: Evelyn L. Burns

Address: 6918 River Drive Road 410-417-2907

City: Baltimore State: MD Zipcode: 21219

Name, Address and phone number of representative to be contacted:

Name: William H. Burns Phone No. 410-417-2907

Address: 6918 River Drive Road 410-687-8636 (work)

A Public Hearing having been requested and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County, this 11 day of August, 1994, that the subject matter of this petition be set for a public hearing, advertised, as required by the Zoning Regulations of Baltimore County, in two newspapers of general circulation throughout Baltimore County, and that the property be posted.

Zoning Commissioner of Baltimore County

REVIEWED BY: Sh. J. Lee DATE: 8-12-94
ESTIMATED POSTING DATE: 8-21-94

Printed with Soybean Ink on Recycled Paper

ITEM #: 57

Affidavit in support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows:

That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does/do presently reside at 6918 River Drive Road
City Baltimore State MD Zipcode 21219

That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address: (Indicate hardship or practical difficulty)

We are approaching retirement and would like the security of having the garage attached to the house. The design of the house is such that if the garage was started at the already existing side wall, that the size of the garage we want to build would not allow us to have an entrance into the house from outside the garage. There fore by moving the garage to the left of the house by 6 feet we will be able to have an entrance door from outside the garage and keep the house and garage in proportion.

That Affiant(s) acknowledge(s) that if a protest is filed, Affiant(s) will be required to pay a reposting and advertising fee and may be required to provide additional information.

William H. Burns *Evelyn L. Burns*
Signature: William H. Burns Signature: Evelyn L. Burns

STATE OF MARYLAND, COUNTY OF BALTIMORE, to-wit:

I HEREBY CERTIFY, this 11 day of August, 1994, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

William H. Burns & Evelyn L. Burns

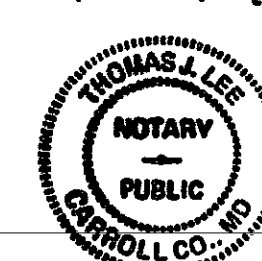
the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s), and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her knowledge and belief.

AS WITNESS my hand and Notarial Seal.

Date 8/11/94

Thomas J. Lee
NOTARY PUBLIC

My Commission Expires: 08/01/97



95-57-A

ZONING DESCRIPTION FOR 6918 River Drive Road

Election District 15 Councilmanic District 5

Beginning at a point on the West side of River Drive Rd
(north, south, east or west)

which is 20' (number of feet of right-of-way width),
(street on which property fronts)

wide at a distance of 20' North east of the
(number of feet) (north, south, east or west)

of centerline of the nearest improved intersecting street Alice Ave.
(name of street)

which is 20' wide. *Being Lot # 10,
(number of feet of right-of-way width)

Block L, Section # _____ in the subdivision of
(name of subdivision)

Block # 8, Folio # 38, containing

8050 sq. ft.
(square feet and acres)

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 15th Date of Posting: 8/29/94
Posted for: [Signature]
Petitioner: [Signature]
Location of property: 6918 River Drive Rd, 4th
Location of Sign: [Signature]
Remarks: [Signature]
Posted by: [Signature] Date of return: 8/26/94
Number of Signs: 1

Baltimore County Government
Office of Zoning Administration
and Development Management



111 West Chesapeake Avenue
Towson, MD 21204

SEP. 07 1994

(410) 887-3353

William and Evelyn Burns
6918 River Drive Road
Baltimore, Maryland 21219

RE: Item No. 57, Case No. 95-57-A
Petitioner: William and Evelyn Burns

Dear Mr. & Mrs. Burns:

The Zoning Plans Advisory Committee (ZAC) has reviewed the plans submitted with the above referenced petition. The attached comments from each reviewing agency are not intended to indicate the appropriateness of the zoning action requested, but to ensure that all parties, i.e. Zoning Commissioner, attorney and/or the petitioner, are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case.

Enclosed are all comments submitted thus far from the members of ZAC that offer or request information on your petition. If additional comments are received from other members of ZAC, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on August 12, 1994.

The following comments are related only to the filing of future zoning petitions and are aimed at expediting the petition filing process with this office.

1) The Director of Zoning Administration and Development Management has instituted a system whereby assessed zoning attorneys who feel that they are capable of filing petitions that comply with all aspects of the zoning regulations and petitions filing requirements can file their petitions with this office without the necessity of a preliminary review by Zoning personnel.

2) Anyone using this system should be fully aware that they are responsible for the accuracy and completeness of any such petition. All petitions filed in this manner will be reviewed and commented on by Zoning personnel prior to the hearing. In the event that the petition has not been filed correctly, there is always a possibility that another hearing will be required or the Zoning Commissioner will deny the petition due to errors or incompleteness.

3) Attorneys, engineers and applicants who make appointments to file petitions on a regular basis and fail to keep the appointment without a 72 hour notice will be required to submit the appropriate filing fee at the time future appointments are made. Failure to keep these appointments without proper advance notice, i.e. 72 hours, will result in the forfeiture loss of the filing fee.

Very truly yours,

W. Carl Richards, Jr.
W. Carl Richards, Jr.
Zoning Coordinator

WCR:pgs

Printed with Soybean Ink
on Recycled Paper

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director DATE: August 29, 1994
Zoning Administration and Development Management

FROM: Robert W. Bowling, P.E., Chief
Developers Engineering Section

RE: Zoning Advisory Committee Meeting
for August 29, 1994
Item No. 57

The Developers Engineering Section has reviewed the subject zoning item. This proposed improvement is located in a 100-year Tidal Flood Plain area. Per the Baltimore County Department of Public Works, the lowest floor of any building must be elevated 1 foot above the 100 year frequency tidal elevation as defined by the Federal Emergency Management Agency, Flood Insurance Administration's Flood Insurance Study.

RWB:aw

CRITICAL AREA receipt
95-57-A

Account R01-6150

Item Number 57

Taken in by [Signature]

Date 8-12-94

W. Carl Richards

6918 River Drive Rd.

CRITICAL AREA - Residential Variance (ZAC) Filing fee - \$50

CRITICAL AREA - Sign & Posting - \$35

Total \$85

1-800-333-3333

\$15.75

Please Make Checks Payable To: Baltimore County

Supplier Validation

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Gwen Stephens, ZADM DATE: August 26, 1994
FROM: Jeffrey Long
Office of Planning & Zoning
SUBJECT: Zoning Advisory Comments

Please be advised that additional time is required to review the following Petitions:

ITEM Nos. 41, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, and 61.

Please contact me if you have any questions or require additional information.

JL:bjs

RECEIVED
AUG 29 1994

ZADM

STEPHENS.JL/PZONE/ZAC1

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director DATE: August 29, 1994
Zoning Administration and Development Management
FROM: Pat Keller, Director
Office of Planning and Zoning
SUBJECT: Petitions from Zoning Advisory Committee

The Office of Planning and Zoning has no comments on the following petition(s):

Item Nos.: 48, 49, 53, 54, 57, 58, 61, 62, 63, 64, 67, and 70.

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3480.

Prepared by: Jeffrey Long

Division Chief: Gary L. Kerns

PK:JL:bjs

ZACITEMS.NC/PZONE/ZAC1

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT
INTER-OFFICE CORRESPONDENCE

TO: Mr. Arnold Jablon, Director
Zoning Administration and Development Management
FROM: J. Lawrence Pilson, Development Coordinator, DEPRM
SUBJECT: Zoning Item #57 - Burns Property
6918 River Drive Road
Zoning Advisory Committee Meeting of August 22, 1994

The Department of Environmental Protection and Resource Management offers the following comments on the above-referenced zoning item.

The proposed garage will require a variance to the Chesapeake Bay Critical Area regulations given that it is proposed to be located in the 100-foot buffer to tidal waters. The applicant should contact Environmental Impact Review at 887-3900 for additional information.

JLP:PF:sp

c: William H. and Evelyn L. Burns
BURNS/DEPRM/TXTSBP

Baltimore County Government
Office of Zoning Administration
and Development Management



111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

AUGUST 22, 1994

NOTICE OF CASE NUMBER ASSIGNMENT

TO: William and Evelyn Burns
6918 River Drive Road
Baltimore, Maryland 21219

Re: CASE NUMBER: 95-57-A (Item 57)
6918 River Drive Road
W/S River Drive Road, 20' NE & opposite centerline Alice Road
15th Election District - 5th Councilmanic

Please be advised that your Petition for Administrative Zoning Variance has been assigned the above case number. Contact made with this office regarding the status of this case should reference the case number and be directed to 887-3331. This notice also serves as a refresher regarding the administrative process.

1) Your property will be posted on or before August 21, 1994. The closing date (September 6, 1994) is the deadline for a neighbor to file a formal request for a public hearing. After the closing date, the file will be reviewed by the Zoning or Deputy Zoning Commissioner. They may (a) grant the requested relief, (b) deny the requested relief, or (c) demand that the matter be set in for a public hearing. You will receive written notification as to whether or not your petition has been granted, denied, or will go to public hearing.

2) In cases requiring public hearing (whether due to a neighbor's formal request or by Order of the Commissioner), the property will be reported and notice of the hearing will appear in a Baltimore County newspaper. Charges related to the reporting and newspaper advertising are payable by the petitioner(s).

3) Please be advised that you must return the sign and post to this office. They may be returned after the closing date. Failure to return the sign and post will result in a \$60.00 charge.

PLEASE UNDERSTAND THAT ON THE DATE AFTER THE POSTING PERIOD, THE PROCESS IS NOT COMPLETE. THE FILE MUST GO THROUGH FINAL REVIEW. ORDERS ARE NOT AVAILABLE FOR DISTRIBUTION VIA PICK-UP. WHEN READY, THE ORDER WILL BE FORWARDED TO YOU VIA FIRST CLASS MAIL.

Arnold Jablon
Director

Printed with Soybean Ink
on Recycled Paper

file

LORD BALTIMORE SERVICES

3710 E. Baltimore Street • Baltimore, Maryland 21224-1599 • (410) 732-2700 • (800) 292-1224

August 21, 1995

Baltimore County Public Works
111 West Chesapeake Avenue
Towson, Md. 21204

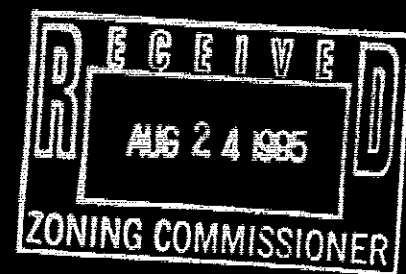
Dear Sirs,

In light of recent developments we will be finishing the small storage shed behind 6801 York Road. Please disregard our letter of 4-7-95.

The Case # was 95-57-A. If you could recommend a contractor who is familiar with your permitting and zoning rules we will be in search of such a contractor.

Signed,
Ken Gore
Ken Gore
Vice President

CC: John Riesenger
Tim Pitts
Avery Harden
Jim Thompson
Tim Kotroco



Laundry • Drycleaning • Uniform Rental Services



Plat to accompany Petition for Zoning ☒ Variance ☐ Special Hearing

PROPERTY ADDRESS: 6718 RIVER DRIVE ROAD see pages 5 & 6 of the CHECKLIST for additional required information

Subdivision name: LYNCH POINT

plat book # 8, folio # 38, lot # 10, section #

OWNER: WILLIAM & EVELYN BURNS

GREENHILL COVE

Water

MARY & FRANK KOPREK

LILLIAN SNYDER

RIVER DRIVE ROAD

North

date: 7/11/95

prepared by: Wm. Burns

Scale of Drawing: 1" = 50'

Edgemere

LOCATION INFORMATION

Election District: 15

Councilmanic District: 5

1"-200' scale map: SE-5-I

Zoning: D.R. 5-5

Lot size: 1.18 acre

Chesapeake Bay Critical Area: ☒ None

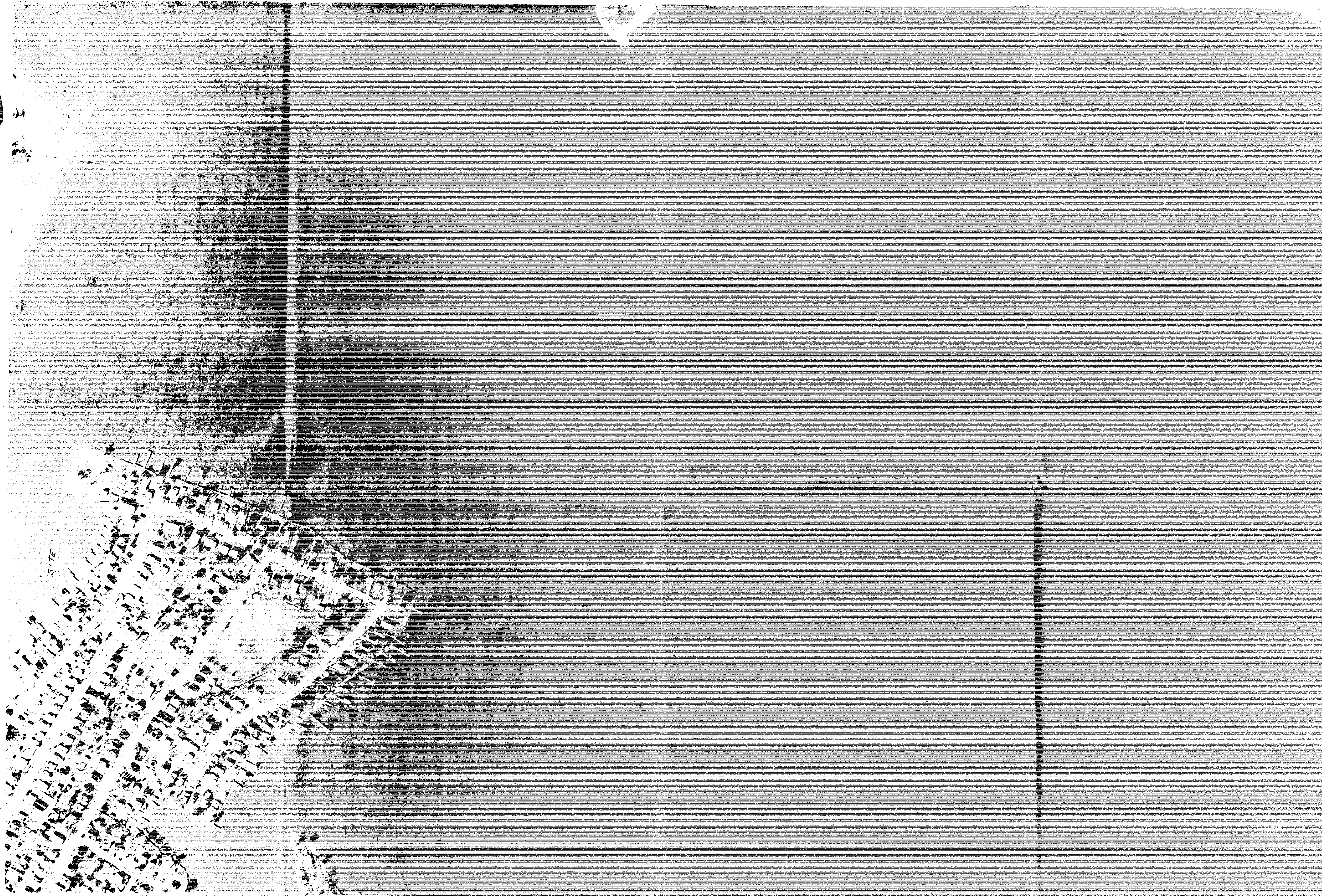
Prior Zoning Hearings: None

Zoning Office USE ONLY!

reviewed by: JP ITEM #: 57 CASE #:



95-57-A



SITE

#57

PREPARED BY AIR PHOTOGRAPHICS, INC.
MARTINSBURG, W.V. 25401

BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
PHOTOGRAPHIC MAP

SCALE	LOCATION	SHEET
1" = 200' ±		S.E.
DATE OF PHOTOGRAPHY JANUARY 1986	EDGE MERE	5-1